

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**BASF AGRO B.V., ARNHEIM (NL),
WÄDENSWIL BRANCH, BAYER
S.A.S., and Merial Limited,
Plaintiffs,**

CIVIL ACTION NO. 10-CV-274

v.

**CHEMINOVA, INC.
Defendant.**

NOTICE OF SPECIAL APPEARANCE

PLEASE TAKE NOTICE that pursuant to Local Rule 83.1(d), the following counsel will also appear on behalf of Merial Limited, one of the named Plaintiffs in the above-referenced matter:

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Counsel of record in this matter is directed to serve all communications, pleadings and papers on the above counsel.

In accordance with Local Rule 83.1(d)(2), the undersigned appears in association with Jitendra Malik, Ph.D. (NCSB No. 32809), who is a member of the bar of this court.

Dated this 18th day of November, 2010.

By: /s/ Frank G. Smith, III

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of November, 2010, I electronically filed the foregoing NOTICE OF SPECIAL APPEARANCE with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants.

/s/ Jitendra Malik

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